

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, November 10, 2020 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, Thurow

Council Members Absent:

Others Present: Capt. Sinden, Clerk Zeman, Adm. Geick, Atty. Truman, W. Peterson, K. Stieve, T. Pinion, C. Johnson, members of the press and others.

The Pledge of Allegiance was given.

Moved by Ellington, seconded by Wedekind and carried unanimously to approve the minutes of October 27, 2020 and November 4, 2020.

Moved by Petty, seconded by Kolb and carried unanimously to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS

- Kevin Stieve, Fire Chief would like Council to review the following website. This is the quickest and easiest way to see the data affecting Sauk County.
COVID-19 data -<https://coviddata-saukpublichealth.hub.arcgis.com/>
- Tom Pinion, City Engineer presented the Recycling Excellence Award to the City and discussed leaf and brush pickup.

PUBLIC INVITED TO SPEAK – None.

MAYOR'S BUSINESS

- The Mayor informed the public that Tyler Technologies who the city contracts with for assessing services will be conducting a revaluation of the city. Please do not be alarmed if you see someone taking photos. Assessors will be wearing yellow vests with the word "Assessor" on them. They will be walking and driving to take photos. Beginning November 16th photos will be taken and it should take approximately three weeks to complete.
- The Mayor thanked the City staff and poll workers for a job well done at the November election.

CONSENT AGENDA

Resolution No. 20-119

THAT the Accounts Payable, in the amount of \$749,681.92 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 20-120

THAT, Beth Persche be appointed to the Baraboo Economic Development Commission (BEDC) to fill the unexpired term of Haley Ryan serving until February 28, 2021.

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-9 ayes.

NEW BUSINESS - RESOLUTIONS

Resolution No. 20-121

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Mayor or City Administrator and City Clerk are authorized to sign an AIA Standard Short Form of Agreement between Owner and Contractor with Joe Daniels Construction Co., Inc. for alterations to Baraboo Fire Department and Alma Waite Annex in the amount of \$73,840 and that all other bids are rejected.

Further, in accordance with the City of Baraboo Purchasing Policy, the following vendors will be awarded work related to the alterations at the Baraboo Fire Department:

| | | |
|---|--------------------------|--------------------|
| Electrical | Action Electric | \$9,055.00 |
| Fire Sprinkler System | FireProtek LLC | \$9,750.00 |
| HVAC – Apparatus Exhaust System and Basement HVAC Upgrades | Bolder Services | \$42,833.00 |
| Fire Alarm System Upgrades | Prairie Security Systems | \$5,085.00 |
| Plumbing | Terrytown Plumbing | <u>\$15,250.00</u> |
| | Total | \$81,973.00 |

Moved by Petty, seconded by Ellington and carried that **Resolution No. 20-121** be approved-9 ayes.

Resolution No. 20-122

Whereas, the Common Council of the City of Baraboo has created a Business Improvement District (BID) for the City of Baraboo, and;

Whereas, the BID has submitted an operating plan for the BID for 2021 and;

Whereas, the Operating Plan for the BID proposes that the implementation of the Plan be funded through a special assessment upon all properties within the BID boundaries to the extent that those properties are not exempt from the general property tax, except real property used exclusively for residential purposes. The assessment shall be based on the equalized value of property in the BID and the proposed assessment shall be \$1.6009558 per \$1,000 of assessed value.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the BID operating plan is accepted.

That said Council intends to levy and collect an assessment upon all business, manufacturing and mixed business and residential property in the BID, as follows:

- The purpose of the assessment is to fund the BID Operating Plan for the calendar year 2021
- The limits of the proposed assessment district are as follows:
 - “The centerline of 1st Street and 1st Avenue on the South; the centerline of Birch Street on the West, the centerline of the alley running East and West between 6th and 7th Avenue on the North; and a line running North and South through the center of Block 12,13,24,25,36 and 37 of the Plat of the City of Baraboo, formerly Adams, on the East.”
- The proposed assessment is for calendar year 2021.
- The proposed assessment shall be paid in one installment.
- The proposed assessment shall be on all properties within the BID boundaries to the extent that those properties are not exempt from the general property tax, except real property used exclusively for residential purposes. The date for determining eligibility for exemption from this BID assessment shall be January 1 of the year of the adoption of the Final Resolution by the City Council.
- The amount of the proposed assessment is \$1.6009558 per \$1,000 of value of said property based on the 2020 tax roll assessment.
- The proposed assessments shall be due the first day of March 2021 which is the first day of the

second month following adoption by the City Council of a resolution levying assessments. Those assessments not paid by that date shall become delinquent as per Section 66.60(15) of the Wis. Stats.

BE IT FURTHER RESOLVED that a public hearing to hear public comment concerning BID Assessments will be held on November 24, 2020 at 7:00 p.m. in the Council Chambers. The City Clerk is directed to properly notice all property owners within the BID of the public hearing and proposed assessment.

Moved by Sloan, seconded by Kolb and carried that **Resolution No. 20-122** be approved-9 ayes.

Resolution No. 20-123

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Mayor is hereby authorized to apply for the 2021 WisDOT Public Transit Assistance Program (PTAP) funding offered by the Federal and State for the City of Baraboo, and

THAT the Mayor is hereby authorized to apply for the 2021 Federal Section 5311 Operating and Capital (Formula Grants for Rural Areas) for the City of Baraboo, and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the appropriate contracts on behalf of the City if the applications are approved.

Moved by Sloan, seconded by Ellington and carried that **Resolution No. 20-123** be approved-9 ayes.

Resolution No. 20-124

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

Resolution Authorizing Execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement

WHEREAS, the City of Baraboo (the "Municipality") wishes to undertake a project to replace private lead service lines at residences, pre k -12 schools and licensed day care centers, identified as DNR No. 4762-02 (the "Project"); and

WHEREAS, the Municipality has applied to the Safe Drinking Water Loan Program (the "SDWLP") for financial assistance in the form of a loan made by the SDWLP to the Municipality of which all the principal will be forgiven at the time that loan disbursements are made to the Municipality, pursuant to the DNR Financial Assistance Agreement; and

WHEREAS, the SDWLP has determined that it can provide a loan with principal forgiveness in an amount up to \$100,000 that it has identified as being eligible for SDWLP funding;

NOW, THEREFORE, the City Mayor and City Clerk are authorized by and on behalf of the Municipality to execute the Principal Forgiven Financial Assistance Agreement that contains the terms and conditions of the SDWLP award for the Project. The Principal Forgiven Financial Assistance Agreement is incorporated herein by this reference.

Moved by Wedekind, seconded by Plautz and carried that **Resolution No. 20-124** be approved-9 ayes.

NEW BUSINESS - ORDINANCES

Moved by Ellington, seconded by Petty and carried unanimously to approve the 1st reading of **Ordinance No. 2565** revising the City of Baraboo Code of Ordinances §7.02 (2)(b)2 to provide for:

No Parking Any Time on the both sides of Algonquin Drive from Draper Street east approximately 200 feet.

No Parking Any Time on the west side of West Street from a point 150' north of 4th Avenue to a point 205' north of 4th Avenue, a distance of approximately 55 feet.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. The City of Baraboo Code of Ordinances § 7.02(2)(b)2, the Official Traffic Map, is revised to provide for:

No Parking Any Time on the both sides of Algonquin Drive from Draper Street east approximately 200 feet.

No Parking Any Time on the west side of West Street from a point 150' north of 4th Avenue to a point 205' north of 4th Avenue, a distance of approximately 55 feet.

2. This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Kolb, seconded by Plautz to send the following ordinance revising the City of Baraboo Municipal Code back to the Administrative Committee for further review. Motion carried; 8-ayes, 1-nay Kierzek

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. That Section 10.06(6) of the City of Baraboo Municipal Code be amended as follows:

SECTION 10.06 JUNK, CERTAIN VEHICLES, RECREATIONAL EQUIPMENT
AND FIREWOOD

...

- (6) STORAGE OF RECREATIONAL EQUIPMENT REGULATED. No person will store any Recreation Equipment on any street right of way or within the front setback, including the driveway, for a period of more than 48 hours, except Recreation Equipment may be stored in a driveway for more than 48 hours so long as the Recreation Equipment does not cause a vision obstruction or violate any other local or state laws or ordinances.

COMMITTEE OF THE WHOLE

Moved by Sloan, seconded by Petty, to enter Committee of the Whole to discuss returning to remote meetings for all City Council meetings and other official City meetings for a date to be determined because of the rise of COVID-19 cases in the community.

Atty. Truman reminded the Council that they recently passed an Ordinance allowing remote participation at City meetings. Per the Ordinance, it does require advance notice and approval by the Chairperson. The Ordinance does not allow remote participation by the general public. Included on tonight's agenda is a discussion regarding whether Council wants to bypass the existing Ordinance

allowing for automatic remote participation for everyone, to include the general public and staff. Because this would be bypassing the current law, she recommends that we adopt an Emergency Declaration allowing us to do this.

The Mayor and T. Pinion noted that we were able to purchase some upgraded equipment that might enhance and improve the remote meetings.

Ald. Sloan noted that it is very difficult to hold discussions remotely. He feels remote is great for anyone that is uncomfortable or unable to attend in person; however, he prefers in person meetings.

Ald. Petty agrees with Sloan and prefers to be at the meeting in person. He notes the issues with remote meetings such as a lag and not being able to hear others.

Ald. Kolb agrees. He feels that the safety measures already in place have continued to work. He also noted that at the last meeting he did remotely it was hard for him to participate in the discussions.

Ald. Plautz noted that he would be okay with either way, in-person or remote.

Ald. Thurow stated that she uses remote meetings many times during the day and has no issue with going to remote meetings.

Ald. Kierzek agrees with Thurow and noted the recent Governor's Orders recommending everyone stay home. She feels it is irresponsible of us to continue meeting in-person.

Ald. Kent prefers attending the meeting in-person as the discussion is more collaborative and beneficial; however, he also feels that we might not have a choice and this might become the way we have to do business. He agrees with Ald. Kierzek and the responsibility of not meeting together to not spread the virus.

Ald. Ellington feels with everyone remote it's different than having some remote and some in-person; everyone is in the same boat. Sauk County is not getting better and to put ourselves in trouble when we don't have to, it doesn't make sense to not go remote. It's seems to be working because no one has gotten sick yet.

Moved by Wedekind, seconded by Kolb, and carried unanimously to rise and report from Committee of the Whole and return to regular session.

CLOSED SESSION

The Mayor announced that the Council will go into Closed Session pursuant to §§19.85(1)(c) and 19.85(1)(e), Wis. Stats., to discuss the City Administrator position, a contractual employment position with the City of Baraboo and which involves the deliberation of the investing of public funds where competitive reasons require a closed session.

Motion by Petty, seconded by Sloan and carried unanimously to go into Closed Session.

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, Thurow

Council Members Absent:

Others Present: Mayor Palm, Clerk Zeman and Atty. Truman

OPEN SESSION

The Mayor announced that the Council will return to Open Session as per §19.85(2), Wis. Stats., to address any business that may be the result of discussions conducted in Closed Session.

Moved by Kolb, seconded by Petty and carried unanimously to return to Open Session.

Moved by Sloan, seconded by Kolb and carried unanimously to authorize the Mayor to offer Casey Bradley the position of City Administrator pursuant to the terms of the presented contract with a commencement date no later than 60-days from signing.

ADMINISTRATOR AND COUNCIL COMMENTS – None.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** October, 2020 – Building Inspection, Airport
- **Minutes from the Following Meetings:**

Finance/Personnel Committee–Dennis Thurow Committee Room, #205

October 27, 2020

Members Present: Petty, Kent

Absent: Sloan

Others Present: Mayor Palm, Adm. Geick, Atty Truman, Clerk Zeman, C. Haggard, W. Peterson, T. Pinion, K. Stieve (at 6:45pm), C. Bradley

Call to Order –Ald. Petty called the meeting to order at 6:30p.m. noting compliance with the Open Meeting Law. Moved by Kent, seconded by Petty to approve the minutes of October 13, 2020 with the revision that Atty. Truman was in attendance. Motion carried unanimously. Moved by Kent, seconded by Sloan to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Kent, seconded by Petty to recommend to Council for approval of the accounts payable for **\$1,199,917.34**. Motion carried unanimously.
- b) **2021 Final Budget** – C. Haggard presented the 2021 Final Budget for review. Moved by Kent, seconded by Petty to recommend the 2021 budget to Council for action. Motion carried unanimously.
- c) **2021 Alma Waite Funds** – C. Haggard informed the Committee that \$9,118 is available for 2021 and 4 applications requesting the use of these funds were received. After review of the applications and prioritizing them based on the use of these funds, motion by Kent, seconded by Petty to approve the following disbursement of 2021 Alma Waite Funds: \$4,000 Oschner Park Zoo Sidewalk, \$1,706 for Concerts on the Square, \$1,706 for Al Ringling Theatre Friends, and \$1,706 for Baraboo Acts Coalition. Motion carried unanimously.
- d) **Public Works Purchase** – T. Pinion explained that they have had the chance to test drive a diagnostic workstation to make sure it will work with all of our fleet. While we were planning on leasing it over the course of 3-years, because we have funds remaining, it was recommended by the Finance Department that we purchase the equipment. Moved by Kent, seconded by Petty to recommend the purchase of a Snap-On ProLink Edge from Snap-On Industrial for a purchase price of \$11,643.99 to council for action. Motion carried unanimously.
- e) **Budget Amendments** – The Committee reviewed the 3rd Qtr. 2020 budget amendments. Moved by Kent, seconded by Petty to recommend the budget amendments to Council for action. Motion carried unanimously.

Information Items

- Finance Director Financial Statements –
 - i. 3rd Qtr. City General Fund Financial Report

Adjournment – Moved by Kent, seconded by Petty and carried to adjourn at 6:53pm.

- **Petitions & Correspondence Being Referred:** None.

ADJOURNMENT

Moved by Ellington, seconded by Petty, and carried on voice vote, that the meeting adjourn at 8:12pm.